

Consumer and Commercial Products Survey of 2013 Data: Overview

The California Air Resources Board (ARB) staff is holding a workshop on May 21, 2014 to discuss the 2013 Consumer and Commercial Products Survey (2013 Survey). The purpose of this document is to outline the scope of 2013 Survey prior to the workshop to better elicit feedback from interested parties. The 2013 Survey will be conducted in 2014 and collect sales and product ingredient information from the 2013 calendar year. Information collected as part of this mandatory survey will be used in air quality plans and future consumer products rulemakings.

Background

California Health and Safety Code (HSC), section 41712 requires ARB to adopt regulations that achieve maximum feasible reductions in volatile organic compound (VOC) emissions from consumer products. Consumer products include, but are not limited to, household maintenance products, automotive care products, personal care products, and aerosol coatings. VOCs that are emitted from the use of consumer products react with other pollutants in the presence of sunlight to form ground-level ozone and particulate matter. The Consumer Products Program is an important part of ARB's overall effort to reduce emissions from the use of consumer products in homes and institutions.

Federal clean air laws require areas with unhealthy levels of ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide and inhalable particulate matter to develop State Implementation Plans (SIP) describing how they will attain national ambient air quality standards. California's SIP for ozone serves as California's overall long-term plan for attainment of the federal ozone standards; one of the attainment measures in the SIP is a reduction of VOC emissions from consumer products. In the past 20 years, ARB has achieved significant emission reductions from consumer products by establishing VOC standards for over 100 consumer product categories. To reduce VOC emissions, ARB developed the Consumer Products regulations:

- Regulation for Reducing Volatile Organic Compound Emissions from Antiperspirants and Deodorants (title 17, California Code of Regulations (CCR), sections 94500-94506.5; Antiperspirants and Deodorants Regulation);
- Regulation for Reducing Emissions from Consumer Products (title 17, CCR, sections 94507-94517; Consumer Products Regulation);
- Regulation for Reducing the Ozone Formed from Aerosol Coating Product Emissions (title 17, CCR, sections 94520-94528; Aerosol Coating Products Regulation); and
- Alternative Control Plan Regulation for Consumer Products and Aerosol Coatings (title 17, CCR, sections 94540-94555).

2013 Survey Rationale

By 2016, new SIPs addressing ozone and particulate matter must be developed for new National Ambient Air Quality Standards set by the United States Environmental Protection Agency. The new standards are lower than the standards for California's currently approved SIPs and preliminary modeling results show that large, additional reductions of oxides of nitrogen and VOCs will be necessary. To establish the scientific foundation for these plans, related rulemakings and other program development, ARB is undergoing a comprehensive effort to update the state's emission inventories. This includes emissions of cars, trucks, locomotives, as well as consumer products. In order to complete this task for consumer products, a complete inventory of sales and ingredient data are needed for all product categories.

Regulatory Authority

The completion of the survey is mandatory and described in sections 94504(b), 94513, and 94524(c) of the Antiperspirants and Deodorants Regulation, the Consumer Products Regulation, and the Aerosol Coatings Regulation, respectively. The aforementioned sections authorize ARB to require the submission of information needed to estimate atmospheric emissions from VOC emission sources.

Survey Overview

In its 2013 Survey, ARB staff will collect data about consumer and commercial products that were sold or supplied for use in California during calendar years 2013 through 2015 (see below for more information). The purpose of this comprehensive survey is to gather current information on VOC, low vapor pressure (LVP)-VOC, and GHG emissions from consumer and commercial product categories. This survey represents an effort to update the emissions inventory, evaluate the feasibility of further reducing VOC emissions from consumer products to support the 2016 SIP, and evaluate the use of LVP-VOCs in consumer products.

Who Must Complete the Survey?

Each company, firm, or establishment ("Responsible Party") listed on the label of a consumer or commercial product that was sold or supplied for use in California during calendar year 2013 and falls into a category listed on the 2013 Survey Category List must complete this survey. Please note that categories that are not currently regulated are being surveyed. Inclusion of these categories in the survey does not necessarily indicate they will be regulated in the future.

What Type of Products Should be Reported?

The survey is intended to collect information about chemically formulated consumer and commercial products used by households and institutions (such as commercial, service, and governmental establishments), and also products used by industrial entities for the maintenance or operation of their facilities. Reportable under this survey are all

consumer products that are defined under section 41712(a)(1) of the HSC and were sold or supplied for use in California during calendar year 2013.

How Should the Data be Submitted?

A consumer products reporting tool will be offered to assist you in submitting your information electronically. To simplify the data gathering and reporting process, ARB staff strongly encourages use of the consumer product reporting tool. In order to ensure that information from a company's multiple databases could be imported efficiently and to learn about companies' database structures, ARB staff has met with individual companies and trade associations to gather feedback and understand their concerns regarding electronic data submission.

What Type of Information Should be Reported?

The survey data fields ask for specific company and product information such as Company Information, Product Information, Ingredients of Formulation Information, and Contact(s) for Ingredients (if Formulator is different than Responsible Party). Detailed instructions will help user to complete the survey. Below is a list of the proposed data requirements for the 2013 Survey.

- *Reporting sales and formulation data for three consecutive years:* ARB staff is proposing to provide detailed formulation of all products first year, and then the data would need to be submitted only for new products or if product formula changed for the next two years. If a product formula has not changed, only the sales data for a product would need to be reported for 2014 and 2015 data. The requirements for Aerosol Coating Products are slightly modified because a recent rulemaking occurred. Instead of reporting detailed formulation data the first year, only sales data would need to be reported for 2013 and 2014, followed by complete (sales and formulation) reporting for 2015 data.
- *Reporting ALL products per their stock keeping unit (SKU):* All products must be reported per their SKU. If products within the same category differ only by size, but the product formula is the same (the ingredients variation is less than 0.1 percent by weight), the product formulation can be reported only once. In the reporting tool, the user would have the ability to label products with the same formula identifier. For example, for products with five SKUs of same formula, the user would only have to enter the formula once. Similarly, if labels of these products are similar except for the size, only one representative label can be submitted. If the products contain variations by color, botanical/herbal extract, or fragrance, the user would report all formulas and label per SKU. In contrast, previous surveys allowed products within the same category to be grouped if they differed only by size, color, botanical/herbal extract, fragrance, and/or brand name and had no greater than 2 percent variation in total VOC content.
- *Reporting of each ingredient present in an amount nearest to 0.1 percent by weight:* Each ingredient present in an amount nearest to 0.1 percent by weight would need to be reported as individual ingredients. Ingredients include VOCs,

Reactive Organic Compounds (ROC) for Aerosol Coating Products, Excluded Compounds (per VOC definition), LVP-VOCs, Other Organic Compounds, Inorganic Compounds, and Fragrance Compounds. Reporting of ingredients will be simplified by providing (drop-down menu) lists of VOCs, speciated LVP-VOCs, and other ingredients to choose from. If multiple formulas were used during the calendar year 2013, the most current formula should be reported. If ingredients varied because they were supplied by different vendors, the ingredients from the most representative vendor (vendor with the largest sales of a particular ingredient, by mass) need to be reported. In contrast, previous surveys allowed LVP-VOCs other than speciated LVP-VOCs, Inorganic Compounds and Fragrances be grouped.

- *Products that contain low or no VOCs must be also reported:* Many product categories may contain a low VOC content by weight or no VOCs. However, some of the ingredients may be LVP-VOCs. In order to ensure ARB staff can complete a full assessment for future regulatory action, low and no VOC content products must be reported at the SKU level.

For questions regarding the 2013 Survey or general questions regarding the Consumer Products Program, please contact David Edwards at (916)323-4887, or via email at csmrprod@arb.ca.gov.